

**\*\*NOT FOR PRINTED PUBLICATION\*\***

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

CLAYTON FOUNTAIN,

Plaintiff,

VS.

PROTECT AMERICA, INC.

Defendant.

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Case No. 4:15CV22  
(Judge Clark/Judge Bush)

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On December 2, 2015, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Protect America, Inc.'s Motion for Summary Judgment should be GRANTED and Defendant's Motion for Sanctions and Attorney's Fees should be DENIED (Dkt. #13); that Plaintiff should take nothing by his claims here; that Defendant should be awarded its costs; and that this matter should be dismissed with prejudice and closed on the court's docket.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the

Magistrate Judge are correct and adopts the Magistrate Judge's recommendations as the findings and conclusions of the court. Therefore, Defendant Protect America, Inc.'s Motion for Summary Judgment is GRANTED and Defendant's Motion for Sanctions and Attorney's Fees is DENIED (Dkt. #13). Plaintiff shall take nothing by his claims here, Defendant shall be awarded its costs, and this matter shall be dismissed with prejudice and closed on the court's docket.

So **ORDERED** and **SIGNED** this **11** day of **February, 2016**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge